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#### VIA HAND DELIVERY

June 27, 2012

Marlene H. Dortch, Secretary Federal Communications Commission Office of the Secretary 445 12th Street, SW Room TW-A325 Washington, DC 20554 FILED/ACCEPTED

JUN 27 2012

Federal Communications Commission Office of the Secretary

Re: Section 54.313 Annual Report of Northwest Missouri Cellular Limited

Partnership d/b/a NorthwestCell Study Area Code 429789

WC Docket No. 10-90

Dear Ms. Dortch:

Northwest Missouri Cellular Limited Partnership d/b/a NorthwestCell ("NorthwestCell"), pursuant to Section 54.313 of the rules and regulations of the Federal Communications Commission ("FCC" or "Commission"), hereby submits an original and four copies of its annual report providing information regarding: (1) outages; (2) unfulfilled service requests; (3) complaints; and, (4) applicable certifications.

Also enclosed is a return copy. Please date-stamp and return this copy to the courier.

If you have any questions or require additional information, please contact the undersigned.

Sincerely,

Gregory W. Whiteaker

Counsel for Northwest Missouri Cellular Limited Partnership d/b/a NorthwestCell

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cc: USAC (via overnight mail & Email – <u>hccerts@usac.org</u>)
Missouri Public Service Commission (via Electronic filing)

Line ACCOCC

# Before the Federal Communications Commission Washington, D.C. 20554

JUN 272012

Federal Communications Commission Office of the Secretary

In the Matter of	)	
	)	
Connect America Fund	)	WC Docket No. 10-90
	)	
	)	

# Northwest Missouri Cellular Limited Partnership d/b/a NorthwestCell Section 54.313 Annual Report

Northwest Missouri Cellular Limited Partnership d/b/a NorthwestCell

("NorthwestCell"), by its attorneys, and pursuant to Section 54.313(a) of the Rules and Regulations<sup>1</sup> of the Federal Communications Commission ("FCC" or "Commission"), the USF/ICC Transformation Order and the Clarification Order<sup>2</sup> in the above-referenced proceeding, and the Public Notice, DA 12-729 released May 8, 2012, hereby submits its annual report providing information regarding: (1) the number of outages lasting at least thirty minutes; (2) the number of requests for service from potential customers that were unfulfilled during the prior calendar year; (3) the number of complaints per 1,000 connections (fixed or mobile); (4) compliance with applicable service quality standards and consumer protection rules; and, (5) the ability to function in emergency situations. NorthwestCell is designated an eligible telecommunications carrier ("ETC") in Missouri by the Missouri Public Service Commission ("MoPCS"), Study Area Code 429789.<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> 47 C.F.R. § 54.313(a).

<sup>&</sup>lt;sup>2</sup> See Connect America Fund, WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17853, n. 961 (2011) (USF/ICC Transformation Order); pets. for review pending sub nom. In re: FCC, No. 11-9900 (10th Cir. filed Dec. 8, 2011); see also Connect America Fund et al., WC Docket No. 10-90 et al., Order, DA 12-147, at ¶¶ 5-6 (WCB/WTB, rel. Feb. 3, 2012) ("Clarification Order").

<sup>3</sup> In the Clarification Order, the Wireline Competition Bureau and the Wireless Telecommunications Bureau ("Bureaus") recognized that ETCs that have been designated by a state commission may not have been required to collect and report the

#### I. Outage Reporting

For the period January 1, 2011 through December 31, 2011 (the "Reporting Period"), NorthwestCell did not experience any service outages lasting at least 30 minutes for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect (i) at least ten percent of the end users served in its designated service area in Missouri; or (ii) a 911 special facility, as defined in 47 C.F.R. § 4.5(e).

### II. Unfulfilled Service Requests

NorthwestCell has not had any unfulfilled service requests from potential customers during the Reporting Period.

# III. Complaints Per 1,000 Connections

NorthwestCell is not aware of and did not receive any complaints filed with the FCC during the Reporting Period. NorthwestCell received one complaint lodged with the MoPSC during the Reporting Period. NorthwestCell addressed the situation directly with the customer to the customer's satisfaction and resolution of the matter.

#### IV. Compliance with Service Quality and Consumer Protection Standards

ETCs must certify compliance with applicable service quality and consumer protection standards. In the *USF/ICC Transformation Order*, the FCC stated, that if an ETC is complying with any voluntary code (e.g., the voluntary code of conduct regarding "bill shock" or the CTIA Consumer Code for Wireless Service) the ETC should indicate this in its report. *See USF/ICC Transformation Order* at ¶ 580 note 956.

information required by rule 54.313(a)(2)-(4) with respect to the provision of voice service during 2011. The Bureaus therefore held that if state-designated ETCs did not collect this information during 2011 they are not required to report on such information in the 2012 Section 54.313 report. See Clarification Order at ¶ 10. The Bureaus further stated, "If state-designated ETCs are subject to a state requirement to report some or all

of this information annually to the state, however, then they should file a copy of any relevant information with the Commission in 2012." *Id*.

NorthwestCell is not a member of CTIA, however, NorthwestCell has committed to follow the CTIA Consumer Code for Wireless Service. NorthwestCell herby certifies that it is complying with applicable service quality standards and consumer protection rules.

#### V. Ability to Function in Emergency Situations

NorthwestCell hereby certifies that it is capable of functioning in emergency situations consistent with 47 C.F.R. § 54.202(a)(2) through NorthwestCell's generators and temporary microwave facilities. NorthwestCell's sites have battery backup to provide power for at least ten hours. At least one half of NorthwestCell's sites have generators, and NorthwestCell has three portable generators that can be deployed to recharge the batteries at sites that have lost power. It takes less than three hours to fully charge these batteries, so the portable generators can be rotated among neighboring sites.

#### VI. Conclusion

For any additional information or questions regarding NorthwestCell's ETC compliance or this report, please contact the undersigned counsel.

Respectfully Submitted,

Northwest Missouri Cellular Limited Partnership d/b/a NorthwestCell

By:

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Its Attorneys

# **Declaration of Roger Bundridge**

# I, Roger Bundridge, do hereby declare under penalty of perjury the following:

- 1. I am the General Manager of Northwest Missouri Cellular Limited Partnership d/b/a NorthwestCell ("NorthwestCell").
- 2. I have read the foregoing "Section 54.313 Annual Report." I have personal knowledge of the facts set forth therein, and believe them to be true and correct.
- 3. I certify that NorthwestCell complies with applicable service quality standards and consumer protection rules.

4. I certify that NorthwestCell is able to function in emergency situations as set forth in 47 C.F.R. §54.202(a)(2).

dger Bundridge

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Date